Richard J. Berry, Mayor

Environmental Health Department
Air Quality Program
Statement of Basis

Mary Lou Leonard, Director

To: Permit File
Enforcement File

From: Paul Puckett, Environmental Health Scientist

Date: October 1, 2015

Subject: Permit application #1655-M1 and Certificate of Registration Airs #NM/001/00967

Location: Phillips 66, 9201 Golf Course NW, Albuquerque, NM 87114

UTM: 346492E, 3894985N, Facility ID: FA0003358 Record ID: PR0007340

Proposal: This permit is to modify permit #1655 for the Phillips 66 fueling station a Gasoline Dispensing Facility (GDF). The permit modification would increase the Phillips 66 annual gasoline throughput from 3,000,000 to 5,000,000 through a 12,000 gallon regular unleaded gasoline tank and a 6,000 gallon super unleaded gasoline tank. The maximum allowable VOCs emitted from the increase in throughput will be from 19.5 tpy to 32.5 tpy. The modified permit number will be changed to 1655-M1.

This facility is subject to the requirements of the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) found in 40 CFR 63 Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities.

Applicability: ***Source Registration, 20.11.40 NMAC***
Any source which emits more than 2000 lbs of any air contaminant per year must obtain a Registration Certificate from the Program.

Construction Permits, 20.11.41 NMAC
20.11.41.2.A – Applicability: Every Stationary source subject to 20.11.41 NMAC shall obtain an air quality construction permit from the department as required by 20.11.41 before:

(1) commencing construction of a new stationary source;
(2) operating a stationary source that was required by 20.11.41 NMAC to obtain a construction permit before commencing construction or modification, but the stationary source has no active construction permit.
(3) modification of a stationary source

20.11.41.B.(1) – If a person proposes to construct or operate a new stationary source that will emit one or more regulated air contaminants for which a federal, state or board ambient air quality standard exists and if the source will emit, when calculated at the contaminant's potential emission rate, 10 pounds per hour or more or 25 tons per year or more of any single regulated air contaminant, then the person shall apply for and obtain a construction permit as required by 20.11.41 NMAC before the person commences construction or operation of the source.

Permit Fees, 20.11.2 NMAC
The Program received proof of payment on May 14, 2015.
20.11.2.19.A.(3) – proposed sources with a proposed allowable emission rate equal to or greater than 25 tons per year and less than 50 tons per year: $3,250.00.
20.11.2.19.C.(3) – Review fee for 40 CFR 63 standards is $1,080.00.
20.11.2.21.E.(2) -- Gasoline Service and Fleet Stations: $334.00 or $48.00 per ton, whichever is greater. Note: CPI Adjusted fees are shown and went into effect January 1, 2015.

General Provisions, 20.11.1 NMAC

Volatile Organic Compounds, 20.11.65 NMAC
20.11.65.15 – Gasoline Holding and Holding at Retail or Fleet Service Stations

Administration, Enforcement, Inspection, 20.11.90 NMAC
20.11.90.13.A – The owner or operator of any stationary source of an air contaminant shall, upon notification by the Director, maintain records of the nature and amounts of emissions, to which an air quality control emission regulation applies, from the source and any other information as may be deemed necessary by the Director to determine whether the source is in compliance with applicable regulations.
20.11.90.13.E – The Director shall establish a periodic visual surveillance system to detect and investigate apparent violations of visible emission limitations and such complaints relating to apparent violations of the regulations as may occur.
20.11.90.14.A – Upon request of the Director, the person responsible for the emission of air contaminants for which limits are established by the 20 NMAC 11 rules shall provide such facilities, utilities, and openings exclusive of instrument and sensing devices, as may be necessary for the proper determination of the nature, extent, quantity and degree of such air contaminants. Such facilities may be either temporary or permanent at the discretion of the person responsible for their provisions; and shall be suitable for determination consistent with emission limits established in these Parts.

Emission Standards For Hazardous Air Pollutants For Stationary Sources, 20.11.64 NMAC
20.11.64.12 – **INCORPORATION OF FEDERAL STANDARDS CODIFIED AT 40 CFR PART 63:** Except as otherwise provided, the National Emissions Standards for Hazardous Air Pollutants for Source Categories including the General Provisions thereto, promulgated by the United States Environmental Protection Agency and codified at 40 CFR Part 63, as amended in the Federal Register through July 1, 2004, are hereby incorporated as Air Quality Control Board Regulations of the Albuquerque/Bernalillo County Air Quality Control Board.

- This facility is subject to the requirements of the Federal National Emissions Standard for Hazardous Air Pollutants (NESHAP) found in 40 CFR 63 Subpart CCCCCC – National Emission Standards for Hazardous Air Pollutants for Source Category: Gasoline Dispensing Facilities as well as the general requirements of 40 CFR 63 Subpart A – General Provisions. The permittee shall comply with the specific requirements of Subpart CCCCCC applicable to existing gasoline dispensing facilities.

Public Notice: Public notice for this permit was published in the Albuquerque Journal on July 14, 2015, and public comment ran through August 13, 2015. The Department notified neighborhood associations and neighborhood coalitions on July 20, 2015, to satisfy the regulatory public notice requirements. A petition to request a public information hearing was received by the Program on August 13, 2015 with 15 timely signatures, including 14 from people residing within the neighborhood.

Compliance: The following permit conditions apply:

1. If the monthly throughput is less than 10,000 gallons of gasoline, the facility shall not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time.
2. If the monthly throughput is greater than 10,000 gallons of gasoline, the facility shall only load gasoline into storage tanks by utilizing submerged filling. Submerged fill pipes installed must be no more than 6 inches from the bottom of the storage tank.
3. If the monthly throughput is greater than 100,000 gallons of gasoline, the facility shall install and operate a vapor balance system on the gasoline storage tanks that meets the design criteria found in 40 CFR 63 Subpart CCCCCC (unless the facility can demonstrate the equivalency of another vapor balance system).
4. The facility must have installed a fully operational vapor recovery system as defined by 20.11.65.15 NMAC.
5. Shall maintain in good working order any vapor venting or recovery system and all pressure vent caps shall also be maintained in good working order.
6. Facility (Units #1) annual throughput is collectively limited to 5,000,000 gallons of gasoline per calendar year.
7. Facility must maintain accurate records and monitoring of Units #1 for annual throughput.

Actions Taken:

- 05/29/2015 Application received by the Program
- 05/25/2015 Application ruled complete by Program
- 08/13/2015 Request for public information hearing (PIH) received
- 09/03/2015 Permit extension request approved by Program
- 11/01/2015 Request for PIH approved by Program
- 11/01/2015 Hearing notices sent to interested persons
- 11/02/2015 Notice of PIH published in the Albuquerque Journal

Annual Fees: Annual fees have been estimated to be $1,584.00 per year.

Annual Fees	$1,1584.00
Round total emissions according to 20.11.2.13.C (3)	
$334.00 or $48.00 per ton whichever is greater	

POLLUTANT	**pounds per hour (lbs/hr)**	**tons per year (tpy)**
Volatile Organic Compounds (VOCs)	14.84	32.5

Table A
Potential Pre-Controlled Emissions

Potential pre-controlled volatile organic compounds (VOC) emissions for the entire facility have been calculated utilizing AP-42, Section 5.2, the permit application values for rated pump capacity for gasoline products, and assuming 4,380 hours of operation with no vapor recovery system in place.

Tank # and Product	Rated Pump Capacity	Emission Rate Calculations	Total Emissions
#1 Regular Unleaded	One 600 GPH Pump	2 pumps x 600 gal/hr x 0.013 lbs/gal = 15.60 lbs/hr 15.60 lb/hr x 4380* hrs/yr x 1 ton/2000 lb = 34.16 tpy	15.60 lbs/hr 34.16 tpy*
#2 Super Unleaded	One 600 GPH Pump		

*Emission rate is based on the assumption that the pumps cannot run continuously and allows for time required between filling vehicles and UST's.

Table B
Actual Emissions

Actual VOC emissions for the entire facility have been calculated utilizing AP-42, Section 5.2, the permit application values for annual throughput of gasoline products, 4,380 hours of operation and assuming vapor recovery is utilized in every transaction.

Tank # and Product	Annual Throughput (gallons)	Average Daily Throughput (gallons)	Emission Rate Calculations	Total Emissions
#1 Unleaded and #2 Super Unleaded	5,000,000	13,698	5,000,000 gal/yr x 0.013 lbs/gal x1 yr /4380 hrs	14.84 lbs/hr

			5,000,000 gal/yr x 0.013 lbs/gal x 1 ton /2000 hrs	32.5 tpy